

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ALVERENE BUTLER,

Plaintiff,

v.

ALABAMA DEPARTMENT OF
TRANSPORTATION, *et al.*,

Defendants.

CASE NO. 2:06-cv-00278-MEF-CSC

STATE OF ALABAMA)
COUNTY OF MONTGOMERY)

SECOND AFFIDAVIT OF STEVE DUKES

Before me, the undersigned Notary Public, personally appeared **Steve Dukes**, who is known to me, and who being first duly sworn by me, deposes and states as follows:

"My name is Steve Dukes. I am a resident of Elmore County, Alabama, am over the age of nineteen years, and have personal knowledge of the facts set forth in this affidavit."

"As a State Personnel Analyst III, I am currently assigned to the Transportation Team. The Transportation Team, among other things, manages the development of employment registers and the issuance and return of Certificates of Eligibles (lists of eligible candidates from which the Alabama Department of Transportation may select candidates for employment and promotion)."

"Attached hereto as 'Attachment 1' is a true and correct copy of an 'Application History' for Melvin D. Wynn, Jr. This application history is kept as an official record of the State Personnel Department and is kept in the ordinary course of business. The application history

DEFENDANT'S
EXHIBIT
EE

indicates that the only position for which Mr. Wynn has ever applied is that of Custodial Worker, class code 80101."

"Attached hereto as 'Attachment 2' is a true and correct copy of an 'Individual History Report' for Melvin Wynn, Social Security Number 306-06-0764. This Individual History Report is kept as an official record of the State Personnel Department and is kept in the ordinary course of business. The Individual History Report indicates that Wynn was placed on the 'Custodial Worker' register on July 21, 1994. The register was abolished on October 23, 1995, and Wynn was notified accordingly."

"According to the Individual History Report, Wynn received a provisional appointment to the position of Engineering Assistant on March 13, 1999. This appointment was pursuant to litigation involving ALDOT known as the *Reynolds* case."

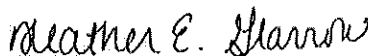
"According to State Personnel Department records, Wynn's position was reallocated to Engineering Assistant II/III on September 4, 2004."

"According to the Application History and the Individual History Report, Wynn has never applied for any job except that of Custodial Worker and has never been employed by the State of Alabama in any position other than that of Engineering Assistant/Engineering Assistant II/III. He has never applied for the position of Civil Engineer (later renamed Transportation Technologist/Transportation Technologist Senior)."



Steve Dukes

SWORN TO AND SUBSCRIBED before me on this 6th day of March, 2007.



Notary Public, State at Large

My Commission Expires: 8/21/09

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STATE of ALABAMA
PERSONNEL DEPARTMENT
APPLICATION HISTORY FOR A SSAN
January 1, 1983 through December 31, 2008

SSAN: 306060764 **NAME:** MELVIN D WYNN JR

CLASS CODE	OPTION CODE	RACE	SEX	VP CODE	FINAL SCORE O/C	FINAL RANK O/C	FINAL SCORE PROM	FINAL RANK PROM	DATE ENTERED	ACTION CODE	ACTION DATE
80101	000	2	1	N	90.00				07/08/1994	30	07/21/1994

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INDIVIDUAL HISTORY REPORT

SSAN: 306060764

As of date: December 31, 2006

Date	Action	Name	Classification	Option	Reg Type	Grade
07/20/1994	Active		80101 CUSTODIAL WORKER Dept:	0	O/C-ct	90.00
07/20/1994	Active		80101 CUSTODIAL WORKER Dept:	0	O/C-ct	90.00
07/21/1994	Continuous - Applicant Placed on R'gstr	MELVIN D WYNN JR	80101 CUSTODIAL WORKER Dept:	0	O/C	90.00
10/23/1995	Register Abolished/Notified		80101 CUSTODIAL WORKER Dept:	0	O/C-ct	90.00
03/13/1999	Appointment - Provisional Prmn't	MELVIN D WYNN	20116 ENGINEERING ASST Dept: HWY	0		
03/27/1999	From Provisional to Regular	MELVIN D WYNN	20116 ENGINEERING ASST Dept: HWY	0		
03/11/2000	Raise - Annual	MELVIN D WYNN	20116 ENGINEERING ASST Dept: HWY	0		
09/09/2000	Raise - Cost of Living	MELVIN D WYNN	20116 ENGINEERING ASST Dept: HWY	0		
03/10/2001	Raise - Annual	MELVIN D WYNN	20116 ENGINEERING ASST Dept: HWY	0		
09/08/2001	Raise - Cost of Living	MELVIN D WYNN	20116 ENGINEERING ASST Dept: HWY	0		
03/09/2002	Raise - Annual	MELVIN D WYNN	20116 ENGINEERING ASST Dept: HWY	0		
09/07/2002	Raise - Cost of Living	MELVIN D WYNN	20116 ENGINEERING ASST Dept: HWY	0		
03/08/2003	Raise - Annual	MELVIN D WYNN	20116 ENGINEERING ASST Dept: HWY	0		
09/03/2005	Raise - Cost of Living	MELVIN D WYNN	20115 ENGINEERING ASST II/III (T) Dept: HWY	0		
03/04/2006	Raise - Annual	MELVIN D WYNN	20115 ENGINEERING ASST II/III (T) Dept: HWY	0		
09/01/2006	Raise - Cost of Living	MELVIN D WYNN	20115 ENGINEERING ASST II/III (T) Dept: HWY	0		